

DATE: July 1, 2005

TO: Office of Drinking Water Staff

THROUGH: Gerald W. Peaks, P.E., Director  
Office of Drinking Water

FROM: Steven D. Pellei, P.E., Director  
Division of Technical Services  
  
Deputy Field Director Task Team  
Office of Drinking Water

SUBJECT: Permits & Project Review - Operation Permits

RELATED: WMs 879, 865, 860, 853, and 784

### Summary Statement

An Operation Permit will be issued for all drinking water systems that are classified as a waterworks. The procedures for drafting and issuing, revising or revoking an Operation Permit are given in this memorandum.

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## 1. General

§12VAC 5-590-190 of the *Waterworks Regulations* requires all public waterworks or water supplies in Virginia to be operated under the authorization of an Operation Permit issued by the Commissioner. This authority has been delegated to the Office of Drinking Water (ODW).

ODW issues new Operation Permits for the following reasons:

1. New system identified.
2. New system constructed.

ODW issues Amended Operation Permits (see Section 10) for the following reasons:

3. Changes in ownership, name, or system type.
4. Changes in design capacity.
5. Changes or modifications to the treatment process.
6. Changes or modifications to the storage or distribution systems<sup>1</sup>.

It remains the intent of the Office that any waterworks owner who develops a waterworks and complies with the *Waterworks Regulations* be issued an Operation Permit which contains no citations of violations.

Working Memo 784 Permits - Permit Application/Comprehensive Business Plan provides information on the permit application process.

## 2. Operation Permits

The legal owner (individuals, partnerships, corporations, governmental bodies, etc.) of a drinking water system will be issued an Operation Permit only if the system is classified as a waterworks.

Operation Permits consist of a permit plus an attached Engineering Description Sheet which includes the capacity determination.

A waterworks will not be permitted if it meets all of the following criteria:

- a. The system consists solely of distribution and storage facilities (and does not have any raw water sources or treatment facilities)
- b. The system obtains all of its water from a waterworks, but it is not owned or operated by a waterworks.
- c. The system does NOT sell water to anyone.
- d. The system does NOT provide water to interstate carriers.

Manufactured home parks that obtain water from a permitted waterworks, and install meters at service connections, will not be permitted. According to EPA, apartment/condo complexes which sub-meter individual units are not regulated water systems and do not need permits.

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<sup>1</sup> The issuing of operation permits for distribution system extensions that have no impact on design capacity (or modify the EDS) is left to the discretion of the Field Office.

Generally, no temporary permits will be issued, except for provisional permits. See Section 11, below.

The issuance of an operation permit may be delayed or denied by the failure to complete the application process or submit a business plan. Refer to WM 784 for additional information. Issues related to inadequate capacity or construction without a permit should be handled under the NOV/enforcement process and should not normally prevent a permit from being issued.

### Format

Refer to Appendix A for the Operation Permit format. Provide all information except for expiration date, which should be left blank (except for provisional permits).

### 3. Operation Permit Number

All new permit numbers will be assigned at the Field Offices. The PWS Identification Number will be used as the Operation Permit Number. This is a seven-digit number as follows:

#### 1<sup>st</sup> Digit: Field Office Number

- 1 – Abingdon
- 2 – Lexington
- 3 – Southeast
- 4 – East Central
- 5 – Danville
- 6 – Culpeper

#### Digits 2 – 4: City/County Code

Refer to Appendix B.

#### Digits 5 – 7: Sequence Number

The sequence number ranges from 000 through 999. The system will accommodate 1,000 waterworks in each city or county. Previously assigned numbers maintain an alphabetical series for each city and county. New waterworks are assigned a sequence number based on the alphabetical name, using a number halfway between two existing numbers in the alphabetical order.

### 4. Engineering Description Sheet

An Engineering Description Sheet (EDS) for every waterworks will be provided with each permit. An example of an EDS is shown in Appendix C. The EDS will provide important system information as identified in the example such as the design capacity evaluation.

An amended Operation Permit shall be issued with the revision of the EDS, except as noted below. An amended permit does not need to be issued for the following minor modifications to the EDS:

- a. Address or phone number changes,
- b. Changes in licensed OIRC,
- c. Minor changes in equipment (replacement in kind).

#### 5. Design Capacity Evaluation

The design capacity of the waterworks is determined by the critical (or limiting) value of its components. The design capacity of the waterworks must exceed the maximum daily demand of the system. The capacity evaluation must include any withdrawal restrictions imposed by a Virginia Water Protection Permit or Groundwater Withdrawal Permit issued by the Virginia Department of Environmental Quality.

If the determination indicates that the waterworks capacity is less than that specified on an existing permit or is less than the actual service population, and the waterworks is performing satisfactorily, the operation permit may be reissued for the existing permit/service population.

For community systems, the Equivalent Residential Connection (ERC) term must be defined in the Engineering Description Sheet. It is stressed that the flow restriction is the limiting factor, and ERC is an indicator of when the flow restriction will be reached. Consequently, a waterworks can exceed the ERC value, as long as the water production is properly reported and is within the gallons/day capacity limitation.

In instances where actual water usage is unknown (eg. TNCs with metering variances) systems may be issued permits with design capacities based on existing connections, restaurant seats, campsites, motel rooms, etc., and/or may include a provision to limit capacity to the on-site wastewater disposal system.

For more information on Design Capacity Evaluations see Working Memo 865.

#### 6. Capacity Determination for Primary and Consecutive Waterworks

Primary waterworks own at least one active source of raw water.

Consecutive waterworks receive water from one or more other waterworks. The sum of the storage on both the primary and consecutive waterworks should be adequate for the sum of the connections. Consecutive waterworks are NOT required to have separate storage when it is adequately provided for by the excess storage in the primary waterworks.

In general, the agreement between the Primary waterworks and Consecutive waterworks should include an allocation of both source and storage, as applicable. These allocations should be identified in the Engineering Description Sheets (EDS) that accompany both permits. The design capacity of the consecutive waterworks would include a) source capacity,

b) storage capacity, and c) other physical or contractual limitations that may exist. Also, the total storage capacity of the primary waterworks should be listed in the consecutive's EDS.

Permitting of Consecutive Waterworks will follow procedures for three categories defined as follows:

### Category I

Waterworks that have limitations at the point of water transfer. This can be either a design limitation or contractual agreements for water transfer. A metered connection will not be considered a limitation unless a firm agreement exists. For this category, use the following procedure:

1. Identify point(s) of water transfer.
2. Identify and obtain a copy of any contractual limitations on water transfer.
3. Identify any physical or design limitation on water transfer (for example, a pump station may establish the capacity at a particular connection).
4. Identify water transfer limitations due to primary source capacity and primary system water use (the sum of the parts  $\leq$  the whole).
5. The permitted capacity of the consecutive waterworks shall be the lowest identified capacity limitation.

### Category II

Waterworks that have design limitations prior to or after the point of water transfer. Connections belonging to either primary or consecutive waterworks may be on either side of the limitation(s). The design capacity of this type can be stated as "Based on (Primary) waterworks capacity".

1. The Engineering Description Sheets for the primary and consecutive waterworks must describe the relationship between one another, and should include the primary's relationship with all other consecutive waterworks. The source and storage allocations should be cited.
2. Consecutive waterworks should have firm gallons-per-day contracts, so that their growth will not be limited by another waterworks' service area growth.
3. Effective storage cannot be counted in both the primary and consecutive waterworks' permits. The source and storage allocations should be cited in the consecutive system permit and should be defined in the purchase agreement.

### Category III

Consecutive waterworks that do not fit into either of the above, such as those that may not have contractual agreements. The District Engineer, in concert with the Field Director and Deputy Field Director, should determine the criteria for issuing a permit. The rationale shall be included in a transmittal memo included with the permit to the Central Office.

## 7. Permit Processing and Routing

The District Engineer (DE) is responsible for the permit program within the district. The DE will prepare or supervise the preparation of a permit and necessary documents for each waterworks within the district, and conduct all investigations necessary to insure that the permit is accurate. The Deputy Field Director may provide a technical review of the Operation Permit and all attachments before forwarding to the Field Director.

The Field Director (FD) is responsible for all aspects of the permit program within the Field Office region. The FD reviews the permit and associated documents, and if no corrections are needed, forwards the permit to the Director in the Central Office with the Operation Permit Checklist (see Appendix D).

The permit package is received in the Central Office, logged in by the clerical staff, and given to the Technical Services staff for review. After satisfactory review the Permit and the Engineering Description Sheet are forwarded to the Director for signature. Copies of the signed permit and Engineering Description Sheet are made for the Central Office files, and the originals are sent back to the Field Office.

When the signed permit is received back in the Field Office, the DE prepares a transmittal letter using the form letter found in Appendix E, and mails the permit with Engineering Description Sheet to the owner. A copy of the letter is sent to the Central Office files.

Appendix E contains three sample paragraphs that may be included. The first is a paragraph identifying the permit as an amended permit. The second is used when the owner is required to submit to ODW a schedule of intended actions to bring the waterworks into compliance with the *Regulations*. The third is used when the waterworks has been issued a draft or final Groundwater Withdrawal Permit by DEQ.

## 8. Variances and Exemptions

### A. Variances

§12VAC 5-550-140 allows for the Commissioner to grant a variance to an operational regulation, treatment technique requirement, primary maximum contaminant level (PMCL) or secondary maximum contaminant level (SMCL) by following appropriate procedures set forth in the *Regulations*. A simple check mark on the permit shall indicate whether a variance is granted. Variances shall be attached to the permit. No reference to a variance will be made in the Engineering Description Sheet.

Variances are dependent on cited permits; however, permits are NOT dependent on variances. Variances have an existence (usually temporary) of their own. They can be transmitted with the operation permit or separately. A full discussion of their importance and effect should accompany them, either in the permit transmittal letter or a separate letter.

## B. Operational Variances

Variances may be considered without a request from the owner if the system is new to our surveillance program and has not had opportunity to come into compliance. Extraordinary circumstances will be handled on a case-by-case basis.

The Office of Drinking Water may initiate temporary operational variances for waterworks that are new to our surveillance. Anticipated sections of the *Regulations* to which variances will be granted are:

<u>Section</u>	<u>Time Limit</u> (from date of issuance)
12VAC 5-590-480 (analytical laboratory control)	12 months
12VAC 5-590-520.B (metering of water production)	12 months
12VAC 5-590-580 (cross connection control program)	12 months

In no case will a permanent variance to §12VAC 5-590-520B (metering) be granted for community or nontransient-noncommunity systems. Transient noncommunity systems less than 10,000 gpd production may be issued a permanent metering variance which remains in effect as long as they remain below 10,000 gpd.

## C. Variance Format

Refer to Appendix F for the variance format. The variance should clearly and completely specify deviations from the regulatory requirements that are being granted. A compliance deadline, delineating the intermediate steps toward a twelve-month deadline, may be included. Other conditions may also be included as necessary.

## D. Exemptions

§12VAC 5-590-150 allows for the Commissioner to grant exemptions to PMCLs or treatment technique requirements due to compelling factors (which may include economic factors).

If granted the exemption must identify the waterworks, specify the termination date, and include a schedule including increments of progress. It should also note that the exemption will terminate when the waterworks comes into compliance. Exemptions are rare; however, in the past ODW has issued exemptions for Fluoride.

## 9. Amended Permits

Code of Virginia §32.1-173 authorizes the amendment of permits. There are numerous reasons to amend/revise Operation Permits, including correction of errors in the permit, changes in major equipment, special operating conditions, and change in permitted capacity.

The owner should be informed of changes to the operation permit BEFORE it is issued. Forward the amended permit, with the Operation Permit Checklist and Engineering Description Sheet to the Director in the Central Office. Include a brief explanation for the permit amendment in the “Comments” section of the Checklist.

Follow these procedures when amending a permit:

1. Retain existing permit number
2. Insert “12 VAC 5-590-260” on the permit form
3. Modify effective date of permit
4. Modify date of Engineering Description Sheet (on both the permit and the Description Sheet), if applicable.

Be sure that a copy of the amended permit is also sent to all individuals that received a copy of the original permit. Include an explanation that the amended permit replaces and nullifies the original in the transmittal letter to the owner. Also direct the owner to destroy the original permit immediately.

An amended permit must be issued, with the date modified to reflect the most recent changes, for any modification identified in Section 1 of this memo. An amended permit is generally not issued as a result of a waterline extension.

#### 10. Provisional Permits

A Provisional Permit may be allowed by *Regulation* §12 VAC 5-590-290 for water treatment methods, processes, or equipment which are not covered by the design criteria in Part III or Part IV of the *Regulations* and which in principle and/or application are new or non-conventional. A Provisional Permit allows additional time for testing and evaluation of the treatment method, process, or equipment to establish confidence the waterworks will operate as proposed. Refer to §12 VAC 5-590-290 for requirements.

Provisional permits shall be issued for a minimum of 12 months but no longer than 18 months to provide time for the evaluation period. For provisional permits place a “P” at the end of the permit number.

#### 11. Permit Revocation

A permit may be revoked pursuant to §12 VAC 5-590-320 of the *Waterworks Regulations* and VA Code §32.1-174 for:

- a. failure to comply with the conditions of the permit;
- b. violation of §32.1 of the Code or the *Waterworks Regulations*;
- c. change in ownership;
- d. abandonment;
- e. the owner has failed to pay waterworks operations fee;
- f. the waterworks has discontinued supplying water;
- g. the waterworks is no longer classified as a waterworks;
- h. the waterworks can no longer be depended upon to furnish pure water;



- i. the capacity of the waterworks is inadequate;
- j. the owner has failed to abide by an order issued by the Commissioner.

Justification for revocation needs to be evaluated on a case-by-case basis with input from the enforcement staff. In some situations, permit revocation may need to be pursued through the enforcement process.

When the permit holder is initiating the revocation, they may request permit revocation in writing; and if applicable, should specify in the request that a hearing is not required. A letter revoking the permit is then to be prepared for the Office Director's signature.

When ODW is initiating the revocation, the DE, with concurrence of the FD, will send a notice by certified mail, return receipt requested, to the permit holder stating that it is our intention to revoke the permit and the reason for the revocation. The notice shall also contain a request that the permit holder notify ODW in writing that they do or do not object to the revocation of the permit. Use the letters given in Appendices G (Notice of Intent) and H (Permit Revocation).

Two courses of action may be followed, depending on receipt of the certified mail:

- a. If the certified mail is returned undelivered, the DE should make every effort to contact the permit holder in person or by telephone. If the attempts are unsuccessful, then the DE, with concurrence from the FD, will prepare a letter of revocation for the Office Director's signature. The letter, signed by the Office Director, will be mailed to the permit holder at the last known address by certified mail, return receipt required. If the letter is returned undelivered, it shall be retained in the correspondence file as evidence of notification, and will serve as authorization to revoke the permit.
- b. If the permit holder notifies the Office in writing that he does not object to revocation of the permit, prepare a letter for the Office Director's signature revoking the permit. If the permit holder objects to the revocation of the permit, then a hearing must be held, in accordance with §12 VAC 5-590-160 of the *Regulations*. These situations must be referred to the Compliance Manager in the Central Office for further guidance.



APPENDIX A

**COMMONWEALTH OF VIRGINIA**  
**DEPARTMENT OF HEALTH**  
**OFFICE OF DRINKING WATER**

**WATERWORKS OPERATION PERMIT**

Waterworks Owner Is Hereby Granted Permission To Operate a Class (1,2,3,4,5,6) community / nontransient-noncommunity / transient noncommunity Waterworks Having a Design Capacity of \_\_\_\_\_ at name of service area Located In City / Town / County In Accordance With the Provisions of Title 32.1, Chapter 6, Article 2, Sections 32.1 - 172 (if new), 173 (if amended), Code of Virginia, as Amended, and 12 VAC 5-590- 260 (if completion statement received) -190 (if no completion statement received) -290E (if provisional permit) -290F (if provisional conditions satisfied and continuing operation permit is issued) of the **Waterworks Regulations** of the Virginia Department of Health, as Amended. This Permit Is Issued In Accordance With Previously Issued Permits provide the previous operation permit number & issuance date (limit to latest one), and ONLY the construction permit number that generated this Operation Permit, as applicable

And With The Understanding That This Owner Will Operate the Waterworks in Accordance with Part II, "Operation Regulations for Waterworks", of the **Waterworks Regulations** of the Virginia Department of Health and any Variances and/or Exemptions Noted Below.

Variances and/or Exemptions Granted ( ) None ( ) See Attached

An Engineering Description Sheet Is Attached Dated \_\_\_\_\_

PERMIT NO. \_\_\_\_\_ *(if provisional, use "P" at end)*

EFFECTIVE DATE \_\_\_\_\_

APPROVED \_\_\_\_\_ P.E.

Director, Office of Drinking Water

EXPIRATION DATE \_\_\_\_\_ *(usually blank, date for provisional)*

## APPENDIX B

CITY/COUNTY CODE LIST  
LOCALITY CODES

CODE	COUNTY	DISTRICT	CODE	COUNTY	DISTRICT	CODE	IND. CITY	DISTRICT
001	Accomack	22	103	Lancaster	17	510	Alexandria	08
003	Albemarle	10	105	Lee	01	515	Bedford	11
005	Alleghany	05	107	Loudoun	08	520	Bristol	01
007	Amelia	14	109	Louisa	10	530	Buena Vista	06
009	Amherst	11	111	Lunenburg	14	540	Charlottesville	10
011	Appomattox	11	113	Madison	09	550	Chesapeake	20B
013	Arlington	08	115	Mathews	18	570	Colonial Heights	19
015	Augusta	06	117	Mecklenburg	13	580	Covington	05
017	Bath	06	119	Middlesex	18	590	Danville	12A
019	Bedford	11	121	Montgomery	04	595	Emporia	19
021	Bland	03	125	Nelson	10	600	Fairfax	08
023	Botetourt	05	127	New Kent	15B	610	Falls Church	08
025	Brunswick	13	131	Northampton	22	620	Franklin	20B
027	Buchanan	02	133	Northumberland	17	630	Fredericksburg	16
029	Buckingham	14	135	Nottoway	14	640	Galax	03
031	Campbell	11	137	Orange	09	650	Hampton	21
033	Caroline	16	139	Page	07	660	Harrisonburg	06
035	Carroll	03	141	Patrick	12B	670	Hopewell	19
036	Charles City	15A	143	Pittsylvania	12A	678	Lexington	06
037	Charlotte	14				680	Lynchburg	11
041	Chesterfield	15B	145	Powhatan	15B	685	Manassas	08
043	Clarke	07	147	Prince Edward	14	687	Manassas Park	08
045	Craig	05	149	Prince George	19	690	Martinsville	12B
047	Culpeper	09	153	Prince William	08			
049	Cumberland	14	155	Pulaski	04	700	Newport News	21
						710	Norfolk	20A
051	Dickenson	02	157	Rappahannock	0	720	Norton	01
053	Dinwiddie	19	159	Richmond	17			
057	Essex	18	161	Roanoke	05	730	Petersburg	19
059	Fairfax	08	163	Rockbridge	06	735	Poquoson	21
061	Fauquier	09	165	Rockingham	06	740	Portsmouth	20A
063	Floyd	04	167	Russell	02	750	Radford	04
065	Fluvanna	10	169	Scott	01	760	Richmond	15A
067	Franklin	12A	171	Shenandoah	07	770	Roanoke	05
069	Frederick	07	173	Smyth	03			
071	Giles	04	175	Southampton	20B	775	Salem	05
						780	South Boston	12
073	Gloucester	18	177	Spotsylvania	16	790	Staunton	06
075	Goochland	15B	179	Stafford	16	800	Suffolk	20B
077	Grayson	03	181	Surry	19			
079	Greene	10	183	Sussex	19	810	Virginia Beach	20A
081	Greensville	19	185	Tazewell	02	820	Waynesboro	06
						830	Williamsburg	21
083	Halifax	13	187	Warren	07	840	Winchester	07
085	Hanover	15A	191	Washington	03			
087	Henrico	15A	193	Westmoreland	17			
089	Henry	12B	195	Wise	01			
091	Highland	06	197	Wythe	03			
093	Isle of Wight	20A	199	York	21			
095	James City	21						
097	King and Queen	18						
099	King George	16						
101	King William	18						

## VIRGINIA DEPARTMENT OF HEALTH ENGINEERING DESCRIPTION SHEET

**DATE:**

**WATERWORKS NAME:** **CERTIFIED CLASS:**

**COUNTY/CITY:** **TYPE:**

**LOCATION:** *physical directions to facility*

**OWNER:** *corporation, municipality, individual as appropriate*  
**Contact:** *administrative contact name*  
*Address, city, state, zip code*  
**Phone:**

**OPERATOR:** *corporation or individual as appropriate*  
**Contact:** *Operator in Responsible Charge name*  
*Address, city, state, zip code*  
**Phone:** , **Fax:**  
*(Optional: reference only the required class)*

**PERMIT NUMBER:** \*\*\*      \*\*\*      \*\*\* *(Optional: include previous permits)*

**EFFECTIVE DATE:** \*\*\*      \*\*\*      \*\*\*

**TYPE OF TREATMENT:** *list all unit treatment processes*

**SOURCE:** *groundwater wells, springs or surface water source(s)*

**DESIGN CAPACITY:** \_\_\_\_\_ gpd {optional: or \_\_ ERC}

### DESCRIPTION OF SYSTEM

The system consists of

- *Detailed narrative*
- *Follow water from source to distribution*
- *Use subject headings for clarity*

**Special Requirements:**

monitoring, operations, etc. as required

*(special paragraph used when system has been issued a Groundwater Withdrawal Permit):*

The Department of Environmental Quality has (developed a draft/issued a) Groundwater Withdrawal Permit (No. ---number---) covering this waterworks. ---owner name--- is entrusted with resource use responsibilities via that permit, and is advised to be aware of any compliance requirements of that permit.

APPENDIX C (cont.)  
ENGINEERING DESCRIPTION SHEET

**EVALUATION OF THE SYSTEM**

Design Basis: Cite the Regulations section for usage, ERC definition, etc.

1. Estimated Water Usage:
2. Source Capacity:
3. Treatment Capacity:
4. Storage and Delivery Capacity:

*conclude with the following:*

for community systems:

Based on the above evaluation, this waterworks is permitted for a design capacity of \_\_\_ gallons/day or \_\_\_ ERC.

for noncommunity systems:

Based on the above evaluation, the permitted capacity is limited to the design capacity of \_\_\_ gpd or [describe existing connections] until the need for additional (source capacity) (treatment capacity) (storage capacity) is evaluated.

*include capacity evaluation here, per Working Memo 865*

APPENDIX D

**OFFICE OF DRINKING WATER  
OPERATION PERMIT CHECKLIST**

TO: G. W. Peaks, P.E. Director, ODW

FROM: \_\_\_\_\_, P.E. Engineering Field Director  
\_\_\_\_\_ Environmental Engineering Field Office

County/City: \_\_\_\_\_

Waterworks: \_\_\_\_\_

circle one: C NTNC TNC

circle one: New or Amended Permit → change in (circle one): name / ownership / capacity / treatment

Name of project: \_\_\_\_\_

- \_\_\_ 1. Operation Permit & Engineering Description Sheet (originals) post-dated at least 5 working days after sent to Central Office
- \_\_\_ 2. Variance and/or Exemption attached
- \_\_\_ 3. Engineer's statement of completion and final inspection report
- \_\_\_ 4. Waterworks permit application
- \_\_\_ 5. Comprehensive Business Plan determination
- \_\_\_ 6. SDWIS and R&R records created or updated

Reports or Plans Considered

OPERATOR

\_\_\_ Not required

\_\_\_ Has a properly licensed operator

\_\_\_ Dept of Commerce notified per WM328

COMPREHENSIVE BUSINESS PLAN

\_\_\_ Submitted

\_\_\_ Approved

\_\_\_ Not needed per WM784

CROSS CONNECTION CONTROL PROGRAM

\_\_\_ Has approved program

\_\_\_ Not approved; will be addressed in transmittal letter

MONTHLY OPERATION REPORT REQUIREMENTS

\_\_\_ Previously transmitted to owner

\_\_\_ Will be addressed in permit transmittal letter

BACT. SAMPLE SITING REPORT\*

\_\_\_ Has approved Report

\_\_\_ Not approved; will be addressed in NOV / permit transmittal letter / separate letter

DBP/CHLORINE RESIDUAL SAMPLING PLAN\*

\_\_\_ Has approved Plan

\_\_\_ Not approved; will be addressed in NOV / permit transmittal letter / separate letter

LCR SAMPLING PLAN\*

\_\_\_ Has approved plan

\_\_\_ Not approved; will be addressed in NOV / permit transmittal letter / separate letter

GWUI DETERMINATION\*

\_\_\_ Has been completed

\_\_\_ Will be addressed by the next sanitary survey

\* may not be prepared for new systems at this time

Comments:

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APPENDIX E  
Transmittal Letter to Owner

SUBJECT: (*County / City*)  
Water – (*Waterworks Name*)

(*Date*)

*Waterworks Owner*  
*Address 1*  
*Address 2*  
*City, State, Zip Code*

Dear (*Waterworks Owner*)

Enclosed you will find Commonwealth of Virginia, Department of Health Waterworks Operation Permit No. \_\_\_\_\_ with an effective date of \_\_\_\_\_. This permit is your authorization from the State Health Commissioner to operate the subject waterworks located in (*County/ City name*) in accordance with the *Waterworks Regulations*. This permit is not transferable.

*If applicable:*

This permit is an amendment of the previously issued permit due to the provide a brief explanation for the revision. This revised permit replaces and nullifies the original permit which should be destroyed immediately.

You will note that the permit indicates that this waterworks has a design capacity of \_\_\_\_\_. This permitted design capacity is (the existing system usage and shall not be exceeded.) (the maximum capacity of the system based on the *Waterworks Regulations* and shall not be exceeded.)

*If applicable:*

Regulation \_\_\_\_\_ states \_\_\_\_\_. The \_\_\_\_\_ waterworks is in violation of this requirement in that \_\_\_\_\_. You are directed to \_\_\_\_\_ so that the waterworks will cease the violation and be in compliance. You are requested to submit to this office within thirty days a schedule of your intended actions to bring the waterworks into compliance with the regulations. The schedule you prepare should be sent to this office by certified mail, return receipt requested.

*If applicable:*

The enclosed Waterworks Operation Permit specifies a maximum volume that this waterworks may produce, in terms of gallons per day. This capacity is based on public health requirements and the application of engineering principles. The Department of Environmental Quality has also (issued a/developed a draft) Groundwater Withdrawal Permit covering this waterworks, based on conservation of water as a natural resource. Both permits apply to you as a waterworks, and you are responsible for complying with each permit. If you have any questions about the DEQ permit, please contact ---name--- of the DEQ ---name---Regional Office, at ---phone number---.

APPENDIX E (continued)  
Transmittal Letter to Owner

We look forward to your (continued) cooperation in the maintenance and operation of this public waterworks.

Sincerely,

District Engineer

cc: \_\_\_\_\_ County Health Department - ATTN: Dr.  
\_\_\_\_\_ County Administrator  
(if applicable ---name---, DEQ - --name—Regional Office  
VDH – ODW, Central Office



APPENDIX F  
Variance

## VARIANCE

PWSID No. \_\_\_\_\_

Select as applicable:For Community, NTNC Systems, and TNC systems with production greater than 10,000 gpd:

This Variance is issued in accordance with Section 12VAC5-590-140 of the *Waterworks Regulations* of the Virginia Department of Health. This Variance is to Section \_\_\_\_\_ and \_\_\_\_\_ of the *Waterworks Regulations*. This Variance is issued with the following conditions:

1. By (one year from date of permit), the (Waterworks name) must provide metering of total water production.
2. By (one year from date of permit), the (Waterworks name) must establish or cause to be established and have in operation a cross-connection and backflow prevention program consistent with the extent of the system and type of consumer served.

For existing (found or grandparented) TNC Systems

This Variance to 12 VAC 5-590-520 of the *Waterworks Regulations* allows operation of this waterworks without metering of total water production, subject to the following conditions:

1. Total water production does not exceed 10,000 gallons per day (gpd).
2. This variance will be automatically revoked at such time that the total water production exceeds 10,000 gpd.

For All Systems:

3. This Variance is nontransferable and must be attached to the Operation Permit.
4. This Variance is a condition of the Operation Permit and is revoked when the Permit is revoked.

Approved

\_\_\_\_\_  
Director, Office of Drinking Water

APPENDIX G  
Notice of Intent

## CERTIFIED MAIL – RETURN RECEIPT REQUESTED

SUBJECT:

Water-

(Date)

Waterworks Owner

Address 1

Address 2

City, State, Zip Code

Dear (Waterworks Owner)

You are hereby notified that it is our intent to revoke Virginia Department of Health Operation Permit Number \_\_\_\_\_ issued on \_\_\_\_\_ covering the operation of the waterworks at (service area name) in (City / County name), Virginia. Revocation is in accordance with the provisions of §32.1-174 of the Code of Virginia and §12 VAC 5-590-320 of the Waterworks Regulations. VDH proposes to revoke the permit because our records indicate (the change of ownership from (previous legal owner name) to (new legal owner name) (there being less than 15 connections and less than 25 people served by this waterworks.)

If you agree to the revocation of this permit, please sign and date the statement at the bottom of this letter and return it to this office. If you object to the revocation you have the right to a hearing and may send a written request to schedule a hearing to this Office no later than 30 calendar days from the date that you or your agent signs for this certified letter. If VDH does not hear from you within that time frame (or if this certified letter is returned to VDH for non-receipt), we will immediately revoke the permit and send you written confirmation of our action.

A copy of this letter is enclosed for your records.

If we can be of further assistance, please contact me at (phone number).

Sincerely,

Engineering Field Director (or District Engineer)

cc: County Health Department  
County Administrator  
VDH - ODW, Central

**This is to advise VDH that I, \_\_\_\_\_, have no objection to the revocation of**  
(Print Name)  
**Waterworks Operation Permit No. \_\_\_\_\_, issued (date) for (Waterworks name)**  
**located in (City/County).**

\_\_\_\_\_  
(Name and Title)\_\_\_\_\_  
(Date)

APPENDIX H  
Permit Revocation Letter

SUBJECT:  
Water-

(Date)

Waterworks Owner  
Address 1  
Address 2  
City, State, Zip Code

Dear (Waterworks Owner)

In accordance with §32.1-174 of the Code of Virginia and §12 VAC 5-590-320 of the *Waterworks Regulations*, you are hereby notified of the revocation of Virginia Department of Health Permit Number \_\_\_\_\_ issued on \_\_\_\_\_ covering the operation of the waterworks at (service area name) in (County name or City), Virginia. The permit was revoked because (the change of ownership from (previous legal owner name) to (new legal owner name) (there being less than 15 connections and less than 25 people served by this waterworks.) Revocation is to become effective upon receipt (or return for non-receipt) of this letter.

By direction of the State Health Commissioner.

Sincerely,

Director, Office of Drinking Water

cc: \_\_\_\_\_ County Health Department  
\_\_\_\_\_ County Administrator  
VDH - ODW, Field Office